

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method of transmitting a recording comprising a sequence of data packets from a server to a receiver, the method comprising:

- commencing transmission of the sequence of data packets at the server;

thereof;

- holding received data in a receiver buffer at said receiver; and
- commencing playing of said received data, wherein the method further

comprises:

~~data; characterised by the steps of~~

at the server analysing the whole of the recording to determine a point in time at which the start of transmission of data section comprising one or more data packets of said data sequence to the receiver would, if the receiver commences at the same point in time to commence playing said data held in said receiver buffer, result in a receiver such that no buffer underflow state not occurring; can occur; and

at the receiver commencing playing of said received data only when this point in time has been reached.

2. (Currently Amended) A method as claimed in claim 1, wherein of ~~transmitting a recording comprising:~~

~~—commencing transmission thereof;~~

~~—holding received data in a receiver buffer; and~~

~~—commencing playing of said received data;~~

~~characterised by the steps of: analysing the whole of the recording~~ is analyzed to  
identify a first data section at the beginning thereof which meets a ~~meets the~~ condition  
that it covers a playing time interval greater than or equal to a maximum ~~the maximum~~  
of the ~~timing error for a following section of any length, each timing error being defined~~  
~~as the extent to which a transmission~~ the transmission time of the respective following  
data section exceeds its playing time interval for a following data section of any length;  
and

causing the receiver to commencing playing of received data only after said first  
section has been received.

3. (Currently Amended) A method according to claim 2 comprising, after  
transmission of said first data section, ~~portion~~, transmitting an instruction to the receiver  
to commence playing.

4. (Currently Amended) A method according to claim 1, ~~claim 2~~ comprising  
transmitting to the receiver an instruction specifying the first data section and wherein

the receiver commences playing when it recognises that the first data section is in the buffer.

5. (Currently Amended) A method according to claim 1 ~~claim 2~~ in which the ~~analysis comprises: (a)~~ at the server, said analyzing comprises transmitter, computing said maximum timing error values for different data sections ~~portions of the sequence~~, and

~~(b) at the~~ receiver, comparing the values with the buffer contents to recognise when said first data section is in the buffer.

6. (Currently Amended) A method according to claim 1 comprising: claim 2 comprising

withholding transmission of an initial part of the recording until the remainder of said first data section has been transmitted; and

transmitting said initial part; ~~and~~

wherein the receiver commences playing only when said initial part is received.

7. (Currently Amended) A method according to claim 1 including: claim 2 including

performing the analysis in advance of said transmission of said data sequence to the receiver; and

marking the identified data section in the recording prior to its transmission.

8. (Currently Amended) A method according to claim 1, wherein claim 2  
~~where said analyzing includes: analysis includes~~

computing, in advance, timing error values corresponding to a plurality of  
transmitting data rates and storing them; and

subsequently estimating therefrom an error value corresponding to an actual  
transmitting data rate.

9. (Currently Amended) A method according to ~~any one of the preceding~~  
~~claims claim 1~~ in which the analyzing comprises: analysis comprises

testing a timing error parameter evaluated for successive portions of the  
recording,

wherein the timing error parameter is firstly calculated in respect of a first or early  
data section ~~portion~~ of the recording and the timing error parameter for subsequent data  
sections ~~portions~~ is obtained by updating the parameter obtained for the preceding data  
section. ~~portion.~~

10. (Previously Presented) A method according to claim 1 in which the  
recording is a video recording.

11. (Previously Presented) A method according to claim 1 in which the  
recording is an audio recording.

12. (New) A method as claimed in claim 1, wherein the recording comprises a  
real-time data sequence from a data store accessed by said server, wherein the server

comprises a transmitter and a control unit, the transmitter being arranged to output the recording via a network to said receiver, the control unit being arranged to receive requests from the receiver for delivery of a said real-time data sequence and to read data sections, each data section comprising a plurality of data packets, said data sections forming said requested data sequence, from the store for sending to the transmitter, wherein the method further comprises:

said control unit analysing the whole of the recording to determine a data section at which if the receiver commences playing received data sections of said data sequence results in a receiver buffer underflow state not occurring, wherein said analysis is performed by said control unit in advance of said transmission of said data sequence to the receiver; and wherein said control unit marks the identified data section in the recording prior to its transmission.

13. (New) A method as claimed in claim 1, wherein the recording is transmitted in a network from the server to the receiver at a fluctuating transmitting data rate which is not known when the whole of the recording is analysed to identify a first data section at the beginning thereof which meets the condition that it covers a playing time interval greater than or equal to the maximum of the extent to which the transmission time of the respective following data section exceeds its playing time interval for a following data section of any length; and

causing the receiver to commencing playing of received data only after said first section has been received.

14. (New) A method as claimed in claim 1, wherein said analysing comprises:  
determining prior to transmission of said data section if the transmission times of the respective following data sections exceed the playing time interval of said data section for any length of following data sections, from the time of transmission of said data section up to the last data section in the data sequence.

15. (New) A method as claimed in claim 1, wherein said analysing is performed for each data packet in said data section using the results of the analysing already made for the preceding data packet in said data section, and wherein the receiver commences playing received data as soon as it receives a data packet passing said analysis.

16. (New) A server for transmitting a recording comprising a sequence of real-time data packets from the server to a receiver comprising a receiver buffer arranged to hold data received at the receiver and a data player for playing of said received data, the server being arranged to access a data store accessed by said server, wherein the server comprises:

a transmitter; and

a control unit,

wherein the transmitter is arranged to output the recording via a network to said receiver,

wherein the control unit is arranged to receive requests from the receiver for delivery of a real-time data sequence and to read data sections, each data section comprising a plurality of said real-time data packets, said data sections forming a said requested data sequence, from the store for sending to the transmitter,

wherein the control unit is arranged to analyse the whole of the recording to determine a point in time at which the start of transmission of a data section comprising one or more data packets of said data sequence to the receiver would, if the receiver commences at the same point in time playing said data held in said receiver buffer, result in a receiver buffer underflow state not occurring.

17. (New ) A method of transmitting a recording from a server to a receiver, the method comprising:

commencing transmission of the recording at the server;

holding received data from said recording in a receiver buffer at said receiver;

and

commencing playing of said received data,

wherein the method further comprises:

at the server analysing the whole of the recording to determine a point in time at which the start of transmission of a data section of said recording to the receiver would, if the receiver commences at the same point in time playing said data held in said receiver buffer, result in a receiver buffer underflow state not occurring; and

at the receiver commencing playing of said received data held in said buffer only when this point in time has been reached.

18. (New ) A method of transmitting a recording from a server to a receiver, the method comprising:

commencing transmission of the recording at the server;

holding received data from said recording in a receiver buffer at said receiver;

and

commencing playing of said received data,

wherein the method further comprises:

at the server analysing the whole of the recording to determine a point in the transmission data sequence of the recording at which the start of transmission of a data section of said recording to the receiver would, if the receiver commences playing at the same point in time as said transmission data sequence transmission is started said data held in said receiver buffer, result in a receiver buffer underflow state not occurring; and at the receiver commencing playing of said received data held in said buffer only when this point in time has been reached.